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January 24, 2019

The Honorable David E. Pebbles
Federal Building and United States Courthouse
P.O. Box 7345
Syracuse , NY 13261-7345

Re: 18-cv-0410-TJM-DEP Plaintiff's January 24, 2019 Status Letter

Dear Judge Pebbles:

The James Law Firm, PLLC represents Plaintiff in the above captioned matter.

Pursuant to the Court's January 17, 2019 Text Order (D.E. #35), Plaintiff files this Status Letter. In response to this Order, Plaintiff sent Defendant a copy of this Court's January 8, 2019 Order to Show Cause (D. E. #32), via UPS Next Day Air Saver and received confirmation that the letter was delivered and left at the front door on January 24, 2019.

On or about January 22, 2019, Plaintiff received a letter from a third party, which was addressed to both Your Honor and myself. This letter was stamped as received by the Court on January 9, 2019. In that letter the third party states he resided at the address listed in the ISP's subpoena response which identified Defendant's true identity. However, this third-party is not the Defendant in this matter. And, the letterhead list the same address Plaintiff received from the ISP and at which Plaintiff served the named Defendant with this Court's January 8, 2019 Order. Although the third-party letter provides personal financial information and requests to begin settlement negotiations, the author did not provide a telephone number or other direct contact information.

As such, Plaintiff will send the third-party a letter and request clarification of the position the he is taking in regard to this matter. Plaintiff will also request accurate contact information from the third-party. Plaintiff will respond promptly to any response received from the third-party or the defendant.

Plaintiff's counsel further informs this Court that Plaintiff has not received copies of several letters filed under seal addressed to this Court from the John Doe defendant and/or on behalf of the John Doe defendant. *See i.e.* D.E. 30,31,33 and 34. Finally, Plaintiff is not in direct contact with the named defendant.

Respectfully Submitted,

By: /s/Jacqueline M. James
Jacqueline M. James, Esq. (1845)

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